

State or Tribal Response Program Activity Levels **Reporting**

Originally developed by the State, Tribal, and EPA Phase II Joint Working Group

The Office of Brownfields and Land Revitalization is requesting the information below to capture impacts from the funding received under the 128(a) State and Tribal Response Program. Responses should include properties (or sites) that are supported under any hazardous and solid waste programs. Consider programs impacted by either broader capacity building activities (regulation development, database tracking enhancements, or staff training) and/or site-specific activities (brownfields assessment, cleanup oversight, or public participation). Submit completed forms to your project officers and regional response program coordinators on or before the due date of December 31, 2016. Responses to the questions below should reflect activities for the period covering the last federal fiscal year, FY16 (October 1, 2015 to September 30, 2016).

Organization Name: **Nevada Division of Environmental Protection**

Cleanup/Response Program Responsibilities	
<i>Underlined items in chart are defined below.</i>	
1. Environmental programs where CERCLA 128(a) funds are used to support capacity building (general program support, non-site-specific work). Indicate as appropriate from the following: * Brownfields ___ Underground Storage Tanks/Leaking Underground Storage Tanks ___ Federal Facilities ___ Solid Waste ___ * Superfund ___ Hazardous Waste Facilities ___ * VCP (Voluntary Cleanup Program, Independent Cleanup Program, etc.)	
Activity	Response
2. <u>Number of properties (or sites) enrolled*</u> in a <u>response program</u> during FY16.	141
3. Number of properties (or sites) where documentation indicates that cleanup work is complete AND all <u>required institutional controls (IC's)</u> are in place, or not required.	140
4. Total number of acres associated with properties (or sites) in the previous question (Question #3).	98
5. OPTIONAL: Number of properties (or sites) where <u>assistance</u> was provided, but the property was not enrolled in a response program.	5
6. Date of the last update to the Public Record.	12/11/17
7. Estimated total number of properties (or sites) in your brownfields inventory.	2,100
8. Number of audits/inspections/reviews/other conducted to ensure engineering and institutional controls are still protective. ___ audits ___ inspections ___ 5 reviews ___ other (explain)	5

9. Did you develop or revise legislation, regulations, codes, guidance documents or policies related to establishing or enhancing your Voluntary Cleanup Program/Response Program during FY17? If yes, please indicate the type and whether it was new or revised? The Certification Program (CP) was revised this year to include the removal of out-of-state reciprocity for Certified Environmental Managers (CEM's) and the removal of the Hazardous Waste Managers Specialist (HWMS) designation. Additionally, The CP added A, B, C Operator Training Certification to the NAC. The CP is currently developing the documents and framework to implement this additional program certification in early 2017.	No
If need more space to respond to question 9.	

*Please refer to the definition and note that it should include both traditional enrollment programs and programs that track properties under other oversight activities.

DEFINITIONS

Properties: As defined in the Brownfields Program's Property Profile Form (PPF) it is a "contiguous piece of land under unitary ownership." A "site" for some programs may include more than one property. When information is available provide the number of properties for a site as part your total property count.

Enrolled: Enrolled for the purposes of this program activity level sheet, properties (or site) activities may include oversight, enforcement, assessment, cleanup, cleanup planning, implementation of institutional or engineering controls, and monitoring. For some programs there may be an official entrance procedure (registration and acceptance, i.e. VCPs, Response Programs) whereas, for other programs it may include properties identified for action(s) by Response Program officials. Properties where other technical assistance is provided should not be included, but instead captured under #5.

For example, if 128(a) program funding contributes to several programs under your response program (i.e., VCP, Brownfields, and UST/LUST) and these programs oversaw cleanup plans, IC tracking, etc. for 100 properties (or sites) then this number of 100 would be included in response to #2.

Response Program: Any state or tribal land program benefiting from CERCLA 128(a) funding may include a response program that focuses on hazardous and/or solid waste contamination. A response program may include both broader capacity building activities (e.g., regulation development, database tracking enhancements; or staff training) and site-specific activities (e.g., brownfield assessment or cleanup, cleanup oversight, or public participation for cleanup planning).

Required institutional controls (or land use controls): As required by state/tribal/local law, regulation, or ordinance as necessary to protect the environment and/or public health. In place institutional controls (as defined in the Brownfield Program's PPF) generally fall under four general categories

- proprietary controls (e.g., easements, covenants);
- governmental controls (e.g., ordinances, zoning, building codes, drilling permit requirements);
- informational devices (e.g., state registries, deed notices, advisories), and
- enforcement/permit tools (e.g., order, permits, consent decrees).

Assistance: Examples of assistance include: working with potential purchasers for properties not being addressed under the response program; supporting a brownfield grantee to identify next steps for a particular property where they have a concern for contamination; technical review of site assessment documents, quality assurance plans, CERCLA 104(k) grantee applications, etc. This section would not be for those reviews/technical assistance provided to properties (or sites) listed under #2.¹

Brownfields Inventory: EPA recognizes the varied scope of state and tribal response programs and will not require states and tribes to develop a "list" of brownfields sites. However, at a minimum, the state or tribe should provide a reasonable estimate of the total number of brownfield sites in their jurisdiction.¹

¹ For more information about the Brownfields Inventory, please review "Timely survey and inventory of brownfields sites in state or tribal land" on page 4 of the Funding Guidance for State and Tribal Response Programs Fiscal Year 2017, available here: <https://www.epa.gov/brownfields/brownfields-comprehensive-environmental-response-compensation-and-liability-act-cercla>
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